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**IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

UNITED STATES OF AMERICA, et al.,) Case No. C-07-04234-JW

Plaintiffs,

v.

STIPULATION TO DISMISS AND ORDER

PAUL J. SHOLTZ,

Defendant.

For the reason that defendant Paul J. Sholtz has complied with the Internal Revenue Service summonses at issue in this matter, it is hereby stipulated by and between plaintiffs and defendant, through the undersigned counsel, that this matter be dismissed with prejudice, each to bear their own costs and attorneys' fees.

JOSEPH P. RUSSONIELLO
 United States Attorney

/s/ Guyton Jinkerson
 GUYTON JINKERSON
 Attorney for Defendant Paul J. Sholtz

/s/ Thomas Moore
 THOMAS MOORE
 Assistant United States Attorney
 Tax Division
 Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

 UNITED STATES DISTRICT JUDGE